

AO 441 (Rev. 5/85) Third Party Summons in a Civil Action

ORIGINAL

United States District Court

MIDDLE

DISTRICT OF

PENNSYLVANIA

PLAINTIFF

Northland Insurance Company

V. DEFENDANT AND THIRD PARTY PLAINTIFF

Lincoln General Insurance Company

THIRD PARTY SUMMONS IN A
CIVIL ACTION

CASE NUMBER: 1:01-CV-763

(JUDGE KANE)

FILED
HARRISBURG

AUG 14 2001

MARY E. D'ANDREA, CLERK
DEPUTY CLERK

V. THIRD PARTY DEFENDANT

Woolever Brothers Transportation, Inc.

To: (Name and Address of Third Party Defendant)

Woolever Brothers Transportation, Inc.
260 Jordan Avenue
Montoursville, PA 17754-2208

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

David Ira Rosenbaum, Esq.
Ruthrauff & Armbrust, P.C.
1601 Market Street, 16th Floor
Philadelphia, PA 19103

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY
(name and address)

Jonathan H. Rudd, Esq.
McNees Wallace & Nurick LLC
P.O. Box 1166
100 Pine Street
Harrisburg, PA 17108-1166

an answer to the third-party complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the third-party complaint. There is also served upon you herewith a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against *you* in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff.

MARY E. D'ANDREA

CLERK

DATE

Aug 2, 2001

George J. Sanderson

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RETURN OF SERVICE OF PROCESS

PLAINTIFF Northland Insurance Company COURT CASE NUMBER 1:01-CV-763
DEFENDANT Lincoln General Insurance Company TYPE OF PROCESS _____

SERVE Woolever Brothers Transportation, Inc.
(Name individual, company; corporation, etc. to be served)

AT 260 Jordan Avenue, Montoursville, PA 17754-2208
(Show Address)

SPECIAL INSTRUCTIONS OR OTHER INFORMATION REGARDING SERVICE _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT:

X I have personally served individual, company or corporation above.
_____ I have made service by mail as authorized by state law to the individual, company or corporation above. Appropriate state law authorizing this type of service is _____ . If certified mail was authorized, attach green cards to this form.

_____ I have legal evidence of service, described under Remarks and attached hereto.
(Domiciliary service, Substituted service.)

_____ I am unable to serve the process. (See Remarks)

NAME OF PERSON SERVED: Harold Sinclair

TITLE (IF ANY) OF PERSON SERVED: Vice President

ADDRESS WHERE SERVED: 260 Jordan Ave., Montoursville, PA 17754.

DATE AND TIME OF PERSONAL SERVICE: 8/13/01 4:07 P.M.

REMARKS: _____

8/13/01

Date


Signature of Process Server

RETURN THE ORIGINAL OF THIS FORM WITH THE ORIGINAL SUMMONS FORM TO:
OFFICE OF THE CLERK OF COURT, U.S. DISTRICT COURT
(Clerk's address in which the assigned judge is located. Refer to the
Notice of Judicial Assignment form.)